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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/387,195

08/31/1999

VICKI ST. JOHN

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09/10/2004

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EXAMINER

ARMSTRONG, ANGELA A

ART UNIT

PAPER NUMBER

2654

28

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/387,195

Applicant(s)

ST. JOHN, VICKI

Examiner

Angela A. Armstrong

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. In view of the Appeal Brief filed on June 23, 2004, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Upparulu (US Patent No. 5,915,001) in view of Talmor (US Patent No. 5,913,196).

3. As per claim 1, Upparulu disclose a method for recognizing voice commands for manipulating data on the Internet, (col. 4, lines 37-51) comprising the steps of

providing data on a website on the Internet, (Fig. 1, element 101 "Internet");
receiving voice signals from a user accessing the website, (col. 4, line 37 continuing to col. 5, line 2; col. 7, line 5 continuing to col. 9, line 2);
interpreting the voice signals of the user for determining navigational command, (col. 4, line 37 continuing to col. 5, line 2; col. 7, line 5 continuing to col. 9, line 2);
outputting selected data of the website based on the navigational commands, (see Fig. 1, element 102 "Voice Web Site" and element 106 "Voice Web Browser"; col. 4, line 37 continuing to col. 5, line 2; col. 7, line 5 continuing to col. 9, line 2);

Upparulu teaches user authentication and verification algorithms at col. 15, line 33 continuing to col. 16, line 47. Upparulu fails to explicitly teach the user authentication and verification process implements at least two voice authentication algorithms. However, implementation of two voice authentication algorithms in a user authentication or verification process was well known in the art.

In a similar field of endeavor, Talmor discloses a method for identifying a person's identity over a secured network comprising the step of establishing the identity of the user through at least two voice authentication algorithms, (see col. 3, line 5 continuing to col. 4, line 40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system to Upparulu to implement the at least two voice authentication algorithms processing of Talmor, for the purpose of establishing the identity of a speaker via voice authentication for authorized access that is more reliable and more efficient, as suggested by Talmor (col. 4, lines 36-40).

As per claim 2, Upparulu disclose a method wherein the data includes a voice-activated application, the navigation commands controlling execution of the application, (see Fig. 1, element 102 “Voice Web Site” and element 106 “Voice Web Browser”; col. 4, line 37 continuing to col. 5, line 2; col. 7, line 5 continuing to col. 9, line 2).

As per claim 3, Upparulu disclose a method wherein the user accesses the web site from at least one of a computer and a telephone, (see Fig. 1, element 102 “Voice Web Site” and element 106 “Voice Web Browser”; col. 4, line 37 continuing to col. 5, line 2; col. 7, line 5 continuing to col. 9, line 2, since this features are inherent to a method/system for accessing the Internet).

As per claim 4, Upparulu disclose a method comprising determining a language from the voice signals, (col. 16, line 49 continuing to col. 17, line 45).

As per claim 5, Upparulu disclose a method further comprising utilizing artificial intelligence to interact with the user, (Figure 1, element 201 “Voice web service agents” col. 10, lines 14-18).

As per claim 6, Upparulu disclose a method wherein the selected data includes voice signals and is outputted to a telephone, (see Fig. 1, element 111 “telephone” element 102 “Voice Web Site” and element 106 “Voice Web Browser”; col. 4, line 37 continuing to col. 5, line 2; col. 7, line 5 continuing to col. 9, line 2).

4. As per claims 7-12, 13-18, 19-33, Claims 7-12, 13-18 and 19-33 are similar in scope and content to claims 1-6 rejected above, therefore claims 7-12, 13-18, 19-33 are rejected under the same rationale.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 703-308-6258. The examiner can normally be reached on Monday-Thursday 7:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (703) 305-9645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Angela A. Armstrong
Examiner
Art Unit 2654

AAA
September 1, 2004


RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER